

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Megan J Carmody on 11/29/11.

The application has been amended as follows:

Claim 7 line 16, "at least one of the above steps being performed by a process." has been deleted and --wherein a control unit is programmed to perform at least the steps of estimating and controlling.—is inserted.

Claims 1-6,9-13 are directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(B), claims 7-8, directed to the process of making or using an allowable product, previously withdrawn from consideration as a result of a restriction requirement, claims 7-8 are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, **the restriction requirement as set forth in the Office action mailed on 7/23/10 is hereby withdrawn.** In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the

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limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The prior art fail to teach or suggest A device for cooling a fuel cell that adjusts a temperature of the fuel cell to a target set temperature by supplying a coolant, comprising: an electric conductivity sensor that measures an electric conductivity of the coolant; a temperature sensor that measures a temperature of the coolant; and a control unit that stores a correlation between the temperature and the electric conductivity of the coolant, the control unit programmed to estimate an electric conductivity at the target set temperature based on the electric conductivity of the coolant, the temperature of the coolant, and the correlation between the temperature and the conductivity of the coolant, and based on a correlation between a parameter related to the temperature of the coolant and the electric conductivity of the coolant, when the electric conductivity at the target set temperature exceeds a target electric conductivity range, the control unit being programmed to control the parameter related to the temperature of the coolant so

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as to maintain the electric conductivity at the target set temperature within the target electric conductivity range.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JANE RHEE whose telephone number is (571)272-1499. The examiner can normally be reached on M-F 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Jane Rhee/
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